

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

UNITED STATES OF AMERICA

V.

Elizabeth Martinez

PRINCIPAL

A208 280 283

YOB: 1980

United States District Court  
Southern District of Texas  
FILED

JUL 01 2015

## CRIMINAL COMPLAINT

Case Number:

M-15- 1062 -M

(Name and Address of Defendant)

## Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 29, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Santos Desiderio Velasquez-Merino, citizen and national of El Salvador, along with six (6) other undocumented aliens, for a total of seven (7), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near La Joya, Texas to the point of arrest near Penitas, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY  
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On June 29, 2015, at approximately 3:20 p.m., the McAllen Border Patrol Station received a request for assistance from the La Joya, Texas Police Department. Border Patrol Agents J. Soto and G. Ramolete were dispatched to Expressway 83 and Business 83 in Penitas, Texas. Once on scene, agents made contact with Officer Gonzalez of the La Joya Police Department. Officer Gonzalez stated that the La Joya Police Department had received a call from a concerned citizen stating that they had observed a woman driving a van that stopped and picked up what appeared to be illegal aliens near La Joya, Texas. Officer Gonzalez responded to that immediate area where he observed a woman driving a gold in color Ford Windstar, which appeared to be heavily laden. Officer Gonzalez then observed the vehicle perform several unsafe lane changes. Officer Gonzalez conducted a vehicle stop.

## SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

Yes  No

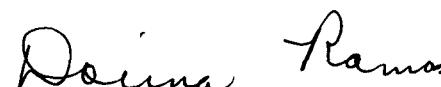
  
 Signature of Complainant

Sworn to before me and subscribed in my presence,

July 1, 2015  
Date

Francisco Sanchez Senior Patrol Agent  
Printed Name of Complainant

at McAllen, Texas  
City and StateDorina Ramos, U. S. Magistrate Judge  
Name and Title of Judicial Officer

  
 Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15- 1062 -M**

**RE: Elizabeth Martinez**

**A208 280 283**

**CONTINUATION:**

As he approached the vehicle he observed several subjects that appeared to be very nervous and were wearing clothing that was wet and dirty. Officer Gonzalez then contacted the Border Patrol for identification and interview of the vehicles passengers.

Agents Soto and Ramolete then determined that the driver, Elizabeth Martinez, was a United States Citizen and the seven passengers were undocumented aliens. None of the seven passengers had any documentation to be in or remain in the United States legally. Officer Gonzalez issued Martinez a citation for no driver's license and a written warning for unsafe lane change.

All subjects were then transported to the McAllen, Texas Border Patrol Station.

**PRINCIPAL STATEMENT:**

Elizabeth Martinez was advised of her Miranda Rights by Border Patrol Agent J. Soto. Martinez stated that she understood her rights and was willing to provide a statement without the presence of an attorney.

Martinez stated that she had received a cellular phone call from a friend named Roke. In that phone conversation Martinez agreed to pick up several individuals as a favor to Roke. Martinez received directions to the pickup location, from Roke, via cellular phone conversation. Martinez stated that she had picked up approximately six or seven individuals from the side of a residence, near the woods, in La Joya, Texas. She stated that after picking up these individuals that she planned to transport them to an unknown location in Alamo, Texas.

**MATERIAL WITNESS STATEMENT:**

Once at the Border Patrol Station, Santos Desiderio Velasquez-Merino was advised of his Miranda Rights in his preferred language. Velasquez verbally stated that he understood his rights and was willing to provide a statement without the presence of an attorney.

Santos Desiderio Velasquez-Merino, a citizen of El Salvador, claims he made smuggling arrangements with a man named Eki and that he was charged \$7000 (USD) but had only paid \$1500 (USD) to be smuggled into the United States. Velasquez stated that he illegally crossed the Rio Grande River on June 29, 2015 at approximately 2:00p.m. Velasquez and approximately seven other individuals walked for two hours before they were picked up by a van. Velasquez positively identified Martinez as the driver of the van through the use of a photo lineup.